

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEVELOPERS SURETY AND INDEMNITY COMPANY, <i>Plaintiff,</i> v. MEGA CONSTRUCTION CORPORATION OF NEW JERSEY, INC., et al., <i>Defendants.</i>	CIVIL ACTION NO. 15-4729
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ORDER RE CROSS-MOTIONS FOR SUMMARY JUDGMENT

AND NOW, this 17th day of March, 2023, after consideration of Plaintiff's Motion for Summary Judgment (ECF 48) and Defendant's Motion for Summary Judgment (ECF 52), and the Parties' respective Responses, Replies, and Supplemental Briefing, and the Parties' contentions heard during oral argument held by the Court on March 15, 2023, and for the reasons set forth in the accompanying Memorandum of Decision, it is hereby **ORDERED** that both Motions are **DENIED**, as genuine disputes of material fact still exist.

BY THE COURT:

/s/ **MICHAEL M. BAYLSON**

MICHAEL M. BAYLSON
United States District Judge